



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Docket No. 14537US02)

In the Matter of:

Jeyhan Karaoguz, *et al.*

Application No. 10/675,413

Filed: September 30, 2003

For: Media Exchange Network
Supporting Remote Peripheral Access

Examiner: Brian D. Nguyen

Group Art Unit: 2661

Confirmation No. 6187

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service, First Class Mail, on the date indicated below and is addressed to: Mail Stop: AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 10-FEB-2006.

By


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Registration No. 51,458

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Applicants request review of the final rejection in the above-identified application, stated in the final Office Action mailed on January 12, 2006 (hereinafter, the Office Action). No amendments are being filed with this request.

This request is being filed with a Notice of Appeal. The review is being requested for the reasons stated on the attached sheets.

Respectfully submitted,

By:


Ognyan Beremski, Reg. No. 51,458
Attorney for Applicants

Date: February 10, 2006

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REMARKS

The present application includes pending claims 1-29. Claims 1-3 and 5-29 stand rejected and claim 4 is objected to. The Applicants respectfully submit that the claims define patentable subject matter.

Claims 1-3, 5-17, and 19-29 stand rejected under 35 U.S.C. § 102(b) as being anticipated by US Patent No. 5,742,905, issued to Pepe, et al. (hereinafter, Pepe). Dependant claim 18 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Pepe in view of U.S. Patent Application Publication 2004/0132403 issued to Alba (hereinafter, Alba). The Applicants respectfully traverse these rejections at least for the following reasons:

I. Pepe Does Not Disclose Or Suggest The Limitations Of Claims 1-3, 5-17, And 19-29

Pepe does not disclose or suggest the limitation of “a plurality of communication devices operatively coupled to a network, the plurality of communication devices comprising a native communication device,” as recited in the claims of the present Application. Furthermore, Pepe does not disclose or suggest the limitation of “a media device operatively coupled to the native communication device and the network, the media device being associated with the native communication device and the network, the media device during operation exchanging media content with the plurality of communication devices and the network,” as recited in the claims of the present Application. Additionally, Pepe does not disclose or suggest the limitation of “a profile of the media device stored in at least one of the following: the media device and the native communication device, the profile comprising information related to managing the media content when the media device is roaming,” as recited in the claims of the present Application. See October 11, 2005 Office Action Response, pages 14-16. In response to the above arguments, the January 12, 2006 Office Action at page 6 (Response to Arguments section) states that element 44 in Figure 3 is a native communication device. The Applicants respectfully disagree. Element 44 is a personal communications internetworking (PCI) database. See Pepe,

column 6, lines 23-25. The Applicants submit that **a database, such as the PCI database 44, is different from a native communication device.**

Applicants further submit that Pepe does not disclose or suggest the limitation of "routing information associated with the media device in accordance with a profile of the media device, the profile being stored in at least one of the following: the native service location and the media device," as disclosed by Applicants in independent claim 23. See October 11, 2005 Response to Office Action, pages 15-16.

Applicants further submit that Pepe does not disclose or suggest the limitation of "the profile being stored in at least one of the following: a native communication device and the media device," as disclosed by Applicants in independent claim 26. See *id.* at page 16.

Thus, the Office Action has failed to establish a *prima facie* case for a rejection of claims 1-3 and 5-29 at least for the reasons stated above. The Applicants would like to point out that the Office Action has not fully responded to all of the Applicants' arguments stated in the October 11, 2005 Response.

II. Conclusion

The Applicants respectfully submit that the claims of the present application should be in condition for allowance at least for the reasons discussed above and request that the outstanding rejections be reconsidered and withdrawn. The Commissioner is authorized to charge any necessary fees or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

Date: February 10, 2006

By: _____

Respectfully submitted,

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